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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brian D. FOLLSTAD

Docket No. 3374-A

Serial No.: 10/620,064

Group Art Unit No.: 1645

Filed: July 15, 2003

Examiner: Unknown

For: METHODS AND MEDIA FOR CONTROLLING SIALYLATION  
OF PROTEINS PRODUCED BY MAMMALIAN CELLS

**Petition to Reset a Period for Reply Due to Late Receipt of an Office Action under 37 CFR § 1.182**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant filed application number 10/620,064 on July 15, 2003. A Notice to File Missing Parts of Nonprovisional Application was mailed to Applicant on October 17, 2003. It is Applicant's general procedure to maintain a mail log for all incoming mail from the USPTO. As evidenced by the attached copy of Applicant's PTO MAIL LOG, no incoming mail related to Attorney Docket Number 3374-A, Serial Number 10/620,064, was received between October 17, 2003 and December 31, 2003.

Having received no correspondence from the USPTO by January 2004, Applicant inquired as to the status of the application using the Patent Application Information Retrieval system. Discovering that an Official Notice had been mailed in October, Applicant contacted the Office of Initial Patent Examination to obtain a copy of the Official Notice. On February 3, 2004, Applicant received a faxed copy of the Notice to File Missing Parts. A copy of this faxed Notice is attached.

Since Applicant did not receive the copy of the Official Notice until February 3, 2004, Applicant is petitioning to reset the period for reply due to late receipt of an Office Action (37 CFR § 1.182). This petition is being filed within two weeks of the date of receipt of the PTO action at the correspondence address. Because the period set for response to the Notice to File Missing Parts expired on December 17, 2003, Applicant requests that the period for reply be restarted from February 3, 2004; the date the Notice to File Missing Parts was received by Applicant.

**EXPRESS MAIL CERTIFICATE**

"Express Mail" mail labeling number: EK880142815US

Date of Deposit: February 17, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brooks Stantfield  
Printed Name

B. Stantfield  
Signature

Please charge Deposit Account No. 09-0089 in the amount of \$130, which is the required fee for this petition (37 CFR § 1.17(h)). In a separate mailing also sent today, Applicants are also submitting a response to the Notice to File Missing Parts along with a second petition to extend the time for response by two months. Should the instant petition to reset the period for reply be granted, please refund the amount paid to extend the period for reply by two months (\$420) to Deposit Account No. 09-0089. The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. 09-0089.

Respectfully submitted,



Rosemary Sweeney  
Attorney/Agent for Applicant  
Registration No.: 52,264  
Phone: (206) 265-4817  
Date: February 17, 2004

Please send all future correspondence to:  
Immunex Corporation  
Law Department  
1201 Amgen Court West  
Seattle, Washington 98119  
(206) 265-7000





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/620,064	07/15/2003	Brian D. Follstad	3374-A

## CONFIRMATION NO. 7126

22932  
 IMMUNEX CORPORATION  
 LAW DEPARTMENT  
 51 UNIVERSITY STREET  
 SEATTLE, WA 98101

## FORMALITIES LETTER



\*OC000000011054806\*

Date Mailed: 10/17/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
10.16.2003	2990-A	PTOL-85; PTO-37; Examiner's Amendmt	10.14.03
	2852-C	Supp. OA; PTO-892; Sequence	10.14.03
	60120-US	Not. of New/Revised Projected Pub. Date	10.2.03
10.20.2003	0604-A	Maint. Fee Stmt (Wigeth)	
	2301-L	Notice of Publication PT/120/102 PT/120/165; 10/17/03/10/14/03	10.2.03
	2802-NW0	PT/120/102; 10/17/03/10/14/03	10.17.03
	3278-W0	PT/113/332	10.3.03
	3303-W0	PT/113/332	10.3.03
	2377-A	Notice of Publication	10.2.03
10.21.2003	3397-W0	PT/113/308 + Publ'd Spec	10.9.03
	3138-W0	Publication w/1SK	10.9.03
10.22.2003	2624-B	Final OA; PTO-1449 (PT)	10.20.03
	2625-G	Issue Notification 6,642,358	10.16.03
	2990-B	Notice of Recordation + Assignment	10.16.03

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
10/23/03	34332-WO	PCT/IB/304	10/10/03
11	34332-WO	PCT/IB/301	10/8/03
"	3205-A	Notice of publication of application	
10.24.2003	33991-WO	PCT/IB/308 + Published Spec	10.9.03
10.27.2003	395-WO	PCT/IB/332	10.16.03
10.28.2003	3195-WO	Published Spec w/ SIR	10.16.03
	3361-WO	Published Spec w/ SIR	10.16.03
10/30/2003	2638-18A	Notice of publication of application	
11.3.2003	3822-D	OA - Restriction	10.30.03
	34330	Filing receipt	10.29.03
	3474	Filing receipt	10.29.03
	2852-F	Issue Notification 6,449,164	10.30.03
	3096-C	Updated filing receipt	10.28.03
	3239-A	Updated filing receipt	10.30.03
11.5.2003	2976-C	OA	11.3.03
11.6.2003	2625-G	Letters Patent	11.4.03

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
11-6-2003	3303-WO	Notification of Defects in Demand	11-4-2003
↓	3296-A	Non-Final OA; PTO-892	11-4-2003
11-7-2003	3399-B	Not. of New/Revised Projected Pub. Date	10-30-2003
11-10-2003	2846-US	Issue Notification	11-6-2003
	2959-A	Issue Notification	11-6-2003
	2614-G	Filing Receipt; Notice to File Missing Parts	11-7-2003
	2801-C	Notification of Suspension of Prosecution	11-7-2003
	3432-A	Filing Receipt	11-5-2003
	A-859-P	Filing Receipt	11-5-2003
	2836-D	Non-Final OA	11-5-2003
11/13/2003	2802-NWO	PCT/1B/301; PCT/1B/304 + ret's	10/27/2003
11.17.2003	3288-WO	PCT/1SA/220 + Search Report	11.12.03
	2990-US	Not. of New or Revised Pbl. Date	11.6.03
↓	2852-D	Notice of Abandonment	11.17.03

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
11.19.2003	3398-WO	PTI/ISA/220; 15R + refs	11.17.03
11.20.2003	2852-F	Letters Patent	11.18.2003
11/21/03	3198-WD	PTI/ISA/416, 409 (1st k)	11.19.03
	3369-A	Postcard 10/712, 122	11.19.03
	3249-A	OA	11.19.03
	2517-USB	Filing Receipt	11.19.03
	2836-1+	Filing Receipt	11.19.03
	2958-A	Final Office Action	11.19.03
	3081-A	Office Action (1 of 8 packages)	11.19.03
11.24.03	2830	Communication	11.19.03
	3397-A	Notice of Publication	11.13.03
12.1.2003	2852-F	Letters Patent 6,649,164 + copies	11.18.03
	2872-US	Issue Notification 6,664,077	11.25.03
	3142-US	Not. of New or Revised Proj Rule Date	11.20.03
	2959-A	Letters Patent 6,652,854 + copies	11.25.03
✓	2866-US	Letters Patent 6,653,447	11.25.03

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
12.1.2003	3198	Advisory Action	11.25.03
	3205-WO	Published spec w/ search Rep.	11.13.03
	3279-A	OA; PTO-892+ref; PTO-1449	11.28.03
12.2.2003	3427-WO	PTT/1B/308 + published spec	11.11.03
12.4.2003	2836-E	Non-final OA	11.26.03
	2920-F	Notice of Abandonment	12.01.03
12.5.2003	3432-B	Filing Receipt	12-2-03
	3324-WO	15K - published	
	3199-US	Notice of Recordation & Assignment	11/26/03
	3382-A	Notice of Recordation & Assignment	11/28/03
	2866 VSC	Summary of telephonic interview	12/1/03
	3836-E	Office Action	11/26/03
	2920-F	Notice of Abandonment	12/1/03
12.8.2003	2008-US	Final OA; PTO-1449	12.4.03
	2804-T	Issue Notification & Assignment (copy of); Orig. Assignment	12.4.03
	2993-US	Notice of Recordation	12.2.03

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
12.8.2003	32229-A	Notice of Publication	11.27.03
	3277-A	Orig. Assignment Notice of Recordation	12.3.03
12.9.2003	32888-WO	PT/12EA/402 (Demand rcpt)	12.3.03
	3361-A	OA - restriction	12.5.03
12.10.2003	3218-WO	Re-issued Spec w/ 512 Orig. Assignment Notice of Recordation	11.27.03
	2993-12S		12.2.03
12.11.2003	3282-WO	PT/15A/220 + 15R + refs	12.5.03
	2861-USA	Filing receipt	12.8.03
12.12.2003	3199-US	Notice of Abandonment	12.8.03
	3368-A	Notice of New/Revised Projected Pub. Date	12.4.03
12.15.2003	3297-WO	Notice of Publication	12.4.03
	3226-A	PT/15A/220 + 15R Notice of Filing Receipt	12.12.03
	2950-A	Notice of Abandonment	12.12.03
12.17.2003	3426-WO	PT/15A/220 + ref	12.12.03
	2976-B	OA - Final	

## PTO MAIL LOG

DATE OF RECEIPT	DOCKET NO.	DESCRIPTION OF DOCUMENT	PTO MAILING DATE
12.18.2003	3457	Foreign Filing License	12-9-03
	29168-B	OA; PTO-892; 3 References	12-16-03
↓	6120-US	Assignment Recordation	12-12-03
12.19.2003	2912-US	Decision	12-16-03
	34332-WO	PCT/1B/300; PCT/1B/304	12-5-03
	2517-USA	Notice of Abandonment	12-16-03
	3282-WO	PCT/1PCTA/402	12-16-03
12.22.2003	3174-A	Office Comm. re Response to OA	12-17-03
	2938-D	OA; PTO-892+refs; PTO-1449	12-18-03
	3128-A	OA; PTO-892+refs; PTO-1449	12.19.03
	3086-WO	PCT/1PCTA/416	12-18-03
	2624-US	Issue Notification 6,670,135T	12.11.03
	2826-A	Office Comm. re susp. and rec.	12.16.03
↓	A-828	Foreign Filing License	12-15-03

## PTO MAIL LOG